

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of mailing
(day/month/year) 25.10.2004

Applicant's or agent's file reference
PL149PCT

IMPORTANT NOTIFICATION

International application No.
PCT/FI 03/00546

International filing date (day/month/year)
04.07.2003

Priority date (day/month/year)
12.07.2002

Applicant
COMPTTEL Oyi et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:



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Authorized Officer



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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

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|--|--|---|
| Applicant's or agent's file reference PL149PCT | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416) | |
| International application No. PCT/FI 03/00546 | International filing date (<i>day/month/year</i>) 04.07.2003 | Priority date (<i>day/month/year</i>) 12.07.2002 |
| International Patent Classification (IPC) or both national classification and IPC H04L12/14 | | |
| Applicant COMPTTEL Oyi et al | | |
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 7 sheets.</p> <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p> | | |
| Date of submission of the demand 12.02.2004 | Date of completion of this report 25.10.2004 | |
| Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465 | Authorized Officer Forster, G Telephone No. +49 89 2399-8986  | |

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/FI 03/00546**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-15 as published

Claims, Numbers

1-23 received on 14.02.2004 with letter of 12.02.2004

Drawings, Sheets

1/4-4/4 as published

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-23 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-23 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-23 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/FI 03/00546

to section V.

1. The present invention relates to a method for limiting and/or monitoring the use of a data communications connection subject to payment in a packet-switched connection network, to means and to a computer software product therefore, according to the features of the amended independent claims 1, 12 and 23 respectively.
2. The closest prior art document is WO-A1-02 37759 (first document cited in the international search report).
3. According to the features of the independent claims the inventive step consists in that a message is received from the signalling connection concerning the interruption or termination of the session transmitted over the mutual data communications connection, and/or state data is received from the billing system, over the message connection concerning an absence in the billing system of the payment required for providing the session being transmitted over the mutual data communications connection in response to the message concerning the interruption or termination of the session, and/or to the state data received from the billing system, at least one traffic limiter is instructed to break, interrupt, or close the session over the mutual data communication, and a two-way signalling link is set between the connection-formation system and the billing system, through the mediator.

The underlying concept is not disclosed in or rendered obvious by the cited prior art documents. The subject-matter of the independent claims thus fulfils the requirements of Article 33 PCT.

4. The dependent claims contain further details on the subject-matter of the respective independent claims. These dependent claims merely limit the scope of protection sought by the independent claims and are therefore also considered to fulfil the requirements of Article 33 PCT.

Remarks concerning clarity and formal deficiencies

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/FI 03/00546

1. The description has not been modified to bring it into agreement with the numbering of the amended independent claims, Rule 5.1(a)(iii) PCT - cf. on page 1, lines 8 and 13 and on page 3, lines 12 and 13.
2. The closest prior art document WO-A1-02 37759 should have been acknowledged in the opening part of the description, Rule 5.1(a)(ii) PCT.
3. In claim 23 the wording should have been changed to '... in that it includes all the means according ...' to increase the clarity of this claim, Article 6 PCT.